17 p.

MONTANA LEGISLATIVE HISTORY

Chapter 53 ~~19~~2003

Bill H 22 S _____ Original bill & history X C

H. Committee on TRANSPORTATION

Hearing Date(s) 1/10 X C

Exec Action 1/15 X C

_____ C

_____ C

Date Out _____ C

S. Committee on HIGHWAYS & TRANSPORTATION

Hearing Date(s) 1/30 X C

2/11 X C

_____ C

_____ C

Did this bill originate in an interim committee? ___ Yes X No

Committee _____ Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendent information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

Bill Draft Number: LC0196
Bill Type - Number: HB 22
Short Title: Generally revise laws on traffic control devices
Primary Sponsor: Christine Kaufmann

Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 45

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	02/28/2003			
(H) Signed by Governor	02/28/2003			
(H) Transmitted to Governor	02/24/2003			
(S) Signed by President	02/22/2003			
(H) Signed by Speaker	02/21/2003			
(H) Returned from Enrolling	02/21/2003			
(C) Sent to Printing	02/20/2003			
(H) Sent to Enrolling	02/19/2003			
(S) Returned to House	02/19/2003			
(S) 3rd Reading Concurred	02/19/2003	46	3	
(S) Scheduled for 3rd Reading	02/19/2003			
(S) 2nd Reading Concurred on Voice Vote	02/18/2003	48	0	
(S) Scheduled for 2nd Reading	02/18/2003			
(S) Scheduled for 2nd Reading	02/17/2003			
(S) Scheduled for 2nd Reading	02/15/2003			
(S) Committee Report--Bill Concurred	02/13/2003			(S) Highways and Transportation
(S) Committee Executive Action--Bill Concurred	02/13/2003	8	0	(S) Highways and Transportation
(S) Hearing	01/30/2003			(S) Highways and Transportation
(S) Referred to Committee	01/22/2003			(S) Highways and Transportation
(S) First Reading	01/22/2003			
(H) Transmitted to Senate	01/21/2003			
(H) 3rd Reading Passed	01/21/2003	98	0	
(H) Scheduled for 3rd Reading	01/21/2003			
(H) 2nd Reading Passed	01/20/2003	100	0	
(H) Scheduled for 2nd Reading	01/20/2003			
(H) Committee Report--Bill Passed	01/16/2003			(H) Transportation
(H) Committee Executive Action--Bill	01/16/2003	12	0	(H) Transportation

Passed		
(H) Hearing	01/10/2003	(H) Transportation
(H) First Reading	01/06/2003	
(H) Fiscal Note Requested	12/11/2002	
(H) Referred to Committee	12/11/2002	(H) Transportation
(C) Introduced Bill Text Available Electronically	11/20/2002	
(H) Introduced	11/20/2002	
(C) Pre-Introduction Letter Sent	11/08/2002	
(C) Draft in Assembly/Executive Director Review	11/08/2002	
(C) Draft in Final Drafter Review	11/06/2002	
(C) Draft in Input/Proofing	11/06/2002	
(C) Draft Taken by Drafter	11/06/2002	
(C) Bill Draft Text Available Electronically	11/06/2002	
(C) Draft in Input/Proofing	11/04/2002	
(C) Draft to Drafter - Edit Review [CMD]	11/04/2002	
(C) Draft in Edit	11/04/2002	
(C) Draft in Legal Review	11/04/2002	
(C) Draft to Requester for Review	10/24/2002	
(C) Draft Request Received	06/13/2002	

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name Mi
Requester	Revenue and Transportation Interim Committee	
Drafter	Kurtz	Leanne
By Request Of	Department of Transportation	
Primary Sponsor	Kaufmann	Christine

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Highways and Roads		Simple	HWY
Motor Vehicles (see also: Taxation--Trans; Traffic Regulations; Transportation)		Simple	MTRV

Additional Bill Information

Probable Fiscal Note: Yes
Preintroduction Required: Y
Session Law Ch. Number: 53
DEADLINE
Category: General Bills
Transmittal Date: 02/28/2003
Return (with 2nd house amendments) Date: 04/05/2003

Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	01-OCT-03	

2003 Montana Legislature

About Bill -- Links

HOUSE BILL NO. 22
INTRODUCED BY C. KAUFMANN
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

AN ACT GENERALLY REVISING AND UPDATING PROVISIONS GOVERNING TRAFFIC CONTROL DEVICES AND PEDESTRIAN CONTROL SIGNALS; ESTABLISHING VEHICLE OPERATOR REQUIREMENTS WHEN LANE USE CONTROL SIGNALS ARE IN PLACE; AMENDING SECTIONS 61-8-201, 61-8-202, 61-8-203, 61-8-207, 61-8-208, 61-8-209, AND 61-8-210, MCA; AND REPEALING SECTION 61-8-205, MCA.

AN ACT GENERALLY REVISING AND UPDATING PROVISIONS GOVERNING TRAFFIC CONTROL DEVICES AND PEDESTRIAN CONTROL SIGNALS; ESTABLISHING VEHICLE OPERATOR REQUIREMENTS WHEN LANE USE CONTROL SIGNALS ARE IN PLACE; AMENDING SECTIONS 61-8-201, 61-8-202, 61-8-203, 61-8-207, 61-8-208, 61-8-209, AND 61-8-210, MCA; AND REPEALING SECTION 61-8-205, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-201, MCA, is amended to read:

"61-8-201. Obedience to traffic control devices -- exception for ~~emergency~~ certain vehicles and funeral processions. (1) ~~The~~ Unless otherwise directed by a peace officer, flag person, crossing guard, or public safety worker, the driver of a vehicle shall obey the instructions of an official traffic control device applicable to ~~his~~ the driver's vehicle and placed in accordance with the provisions of this chapter. ~~unless otherwise directed by a highway patrol officer or police officer, subject to the exceptions granted in this chapter to the~~ The driver of an authorized emergency vehicle, a police vehicle, or a highway patrol vehicle and ~~to~~ the driver of a motor vehicle in a funeral procession are exempt from obedience to official traffic control devices as provided in this chapter.

(2) A provision of this chapter for which ~~signs~~ traffic control devices are required may not be enforced

against an alleged violator if at the time and place of the alleged violation an official ~~sign~~ traffic control device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section of this chapter does not state ~~the signs~~ that official traffic control devices are required, the section is effective even though ~~no signs~~ traffic control devices are not erected or in place.

(3) Official traffic control devices that are placed or held in position substantially conforming to the requirements of this chapter and the requirements of the uniform system adopted by the department of transportation pursuant to 61-8-202 are presumed to have been placed by an official act or at the discretion of a lawful authority."

Section 2. Section 61-8-202, MCA, is amended to read:

"61-8-202. Department of transportation to adopt ~~sign~~ manual. The department of transportation shall adopt a manual for a uniform system of traffic control devices consistent with this chapter for use upon highways within the state. ~~This uniform system shall~~ The manual adopted by the department of transportation must correlate with and so far as possible conform to the ~~manual on uniform traffic control devices, as amended~~ Manual on Uniform Traffic Control Devices, as amended, published by the United States federal highway administration."

Section 3. *Section 61-8-203, MCA, is amended to read:*

"61-8-203. Department of transportation to ~~sign~~ place traffic control devices on ~~all state~~ highways it maintains and approve traffic control devices on highways under its jurisdiction. (1) The department of transportation shall place and maintain traffic control devices, conforming to its manual and specifications, upon all ~~state~~ highways maintained by the department of transportation that the department ~~it~~ considers necessary to ~~indicate and to~~ carry out the provisions of this chapter and chapter 9 or to regulate, warn, or guide traffic.

(2) A local authority or other entity may not place or maintain a traffic control device upon a highway under the jurisdiction of the department of transportation except ~~by~~ with the ~~latter's~~ department's permission.

(3) ~~Only the department may erect and maintain these traffic control devices conforming to its manual and specifications on a controlled access highway or controlled access facility.~~ The unauthorized erection of a sign, marker, ~~or~~ emblem, or other traffic control device on a ~~controlled access facility or controlled access~~ highway under the jurisdiction of the department of transportation by any other ~~public authority, or agent, or by a private individual, firm, or corporation~~ entity is ~~unlawful and~~ a misdemeanor and is punishable as provided in 61-8-712.

(4) The erection or maintenance of a sign, marker, emblem, or traffic control device on a ~~state~~ highway ~~except a controlled access highway or controlled access facility,~~ under the jurisdiction of the department of transportation is subject to the rules and specifications that the department adopts and publishes in the interest

of public safety and convenience."

Section 4. Section 61-8-207, MCA, is amended to read:

"61-8-207. Traffic control signal legend. ~~Whenever~~ Except for lane use control signals and special pedestrian control signals carrying a legend, whenever traffic is controlled by traffic control signals exhibiting ~~the words "Go", "Caution", or "Stop" or exhibiting~~ different colored lights or colored lighted arrows successively one at a time or ~~with arrows~~ in combination, ~~the following colors only must be used and the terms and~~ only the colors green, red, and yellow may be used. The lights ~~must~~ indicate and apply to drivers of vehicles and pedestrians as follows:

~~(1) green alone or "Go":~~

(1) (a) Vehicular traffic facing ~~the~~ a circular green signal may proceed straight through or turn left or right unless a ~~sign~~ traffic control device at the place prohibits either turn. ~~But~~ However, vehicular traffic, including vehicles turning right or left, must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Vehicular traffic facing a green arrow signal shown alone or in combination with another indication may cautiously enter the intersection only to make either the movement indicated by the arrow or another movement that is permitted by another indication shown at the same time. Vehicular traffic making the movements permitted by this subsection (1)(b) must yield the right-of-way to pedestrians who are lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

~~(b)~~(c) ~~Pedestrians~~ Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing ~~the~~ a green signal, except when the only green signal is a turn arrow, may proceed in the direction of the green signal across the roadway within any marked or unmarked crosswalk. A driver of a vehicle shall yield the right-of-way to the pedestrian.

~~(2) yellow alone or "Caution" when shown following the green or "Go" signal:~~

(2) (a) Vehicular traffic facing ~~the~~ a steady circular yellow or yellow arrow signal is warned that the traffic movement permitted by the related green signal is being terminated or that a red ~~or "Stop"~~ signal will be exhibited immediately thereafter. ~~and vehicular~~ Vehicular traffic may not enter the intersection when the red ~~or "Stop"~~ signal is exhibited after the yellow signal.

(b) ~~Pedestrians~~ Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing ~~the signals are~~ a steady circular yellow or yellow arrow signal is advised that there is insufficient time to cross the roadway~~, and a pedestrian then starting to cross shall yield the right-of-way to all vehicles~~ before a red indication is shown.

~~(3) red alone or "Stop":~~

(3) (a) Vehicular traffic facing ~~the~~ a steady circular red signal must stop at a marked stop line. If there is not a marked stop line, vehicular traffic must stop before entering the crosswalk on the near side of the intersection. ~~or, if none, then~~ If there is not a marked crosswalk, vehicular traffic must stop before entering the intersection and, except as provided in subsection (3)(c), must remain standing until ~~green or "Go"~~ an indication to proceed is shown ~~alone, until a right turn can safely be made, or until a left turn can safely be made from the far left lane if the turn is made from a one-way street onto another one-way street going left. In making the turn, vehicular traffic must yield the right of way to pedestrians lawfully within the crosswalk and to other traffic lawfully using the intersection. If a traffic sign legend indicating that no right turn on red or no left turn on red may be made after a stop is posted at the intersection, the movement cannot be made until green or "Go" is shown alone~~.

(b) ~~A pedestrian facing a signal may not enter the roadway unless the pedestrian can do so safely and without interfering with any vehicular traffic~~ Vehicular traffic facing a steady red arrow signal may not enter the intersection to make the movement indicated by the arrow and must stop at a marked stop line unless the traffic is entering the intersection to make a movement indicated by another signal. If there is not a marked stop line, vehicular traffic must stop before entering the crosswalk on the near side of the intersection. If there is not a marked crosswalk, vehicular traffic must stop before entering the intersection and must remain standing until an indication is shown that permits movement.

(c) (i) Except when a traffic control device is in place that prohibits a turn, vehicular traffic facing a steady circular red signal may cautiously enter the intersection to turn right or to turn left from a one-way street onto another one-way street after stopping as required under subsection (3)(a). After stopping, the operator of a vehicle shall yield the right-of-way to any vehicle in the intersection or approaching the intersection close enough to constitute an immediate hazard during the time that the operator is moving within the intersection.

(ii) An operator of a vehicle entering an intersection as provided in subsection (3)(c)(i) shall yield the right-of-way to pedestrians within the intersection or within an adjacent crosswalk.

(d) Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing a steady circular red or red arrow signal alone may not enter the roadway.

~~(4) red with a green arrow:~~

~~(a) Vehicular traffic facing a signal may cautiously enter the intersection only to make the movement indicated by the arrow but must yield the right of way to pedestrians lawfully within the crosswalk and to other traffic lawfully using the intersection.~~

~~(b) A pedestrian facing a signal may not enter the roadway unless the pedestrian can do so safely and without interfering with vehicular traffic.~~

~~(5) traffic control signal at a place other than an intersection:~~

(4) (a) ~~In the event~~ If an official traffic control signal is erected and maintained at a place other than an

intersection, the provisions of this section are applicable except as to those provisions that by their very nature can have no application.

(b) ~~Any~~ A required stop ~~required~~ must be made at a sign or marking on the pavement indicating where the stop must be made, but in the absence of any sign or marking, the stop must be made at the signal."

Section 5. Section 61-8-208, MCA, is amended to read:

"61-8-208. Pedestrian control signals. Whenever special pedestrian control signals exhibiting the words "Walk" ~~or "Wait"~~ or "Don't Walk" or symbols of a walking person or an upraised palm are in place, ~~such~~ the signals ~~shall~~ indicate as follows:

(1) ~~Walk. Pedestrians~~ A pedestrian facing ~~such~~ a "Walk" signal or a walking person symbol may proceed across the roadway in the direction of the signal and ~~shall be given the right-of-way by~~ the ~~drivers~~ operators of all vehicles shall yield the right-of-way to the pedestrian.

(2) ~~Wait or Don't Walk. No~~ A pedestrian ~~shall~~ may not start to cross the roadway in the direction of ~~such~~ a signal exhibiting a flashing or steady "Don't Walk" signal or upraised palm symbol, but ~~any~~ a pedestrian who has partially completed ~~his~~ crossing on the ~~walk~~ "Walk" signal or walking person symbol shall proceed to a sidewalk or safety island while the ~~wait~~ "Don't Walk" signal or upraised palm symbol is showing. An operator of a vehicle shall yield the right-of-way to a pedestrian who has partially completed crossing and is proceeding to the sidewalk or safety island.

(3) A pedestrian may not start to cross a roadway in the direction of a steady "Don't Walk" signal or upraised palm symbol."

Section 6. Section 61-8-209, MCA, is amended to read:

"61-8-209. Flashing signals. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic ~~sign or signal~~ control device, it ~~shall require~~ requires obedience by vehicular traffic as follows:

(a) ~~Flashing red (stop signal).~~ When a red lens is illuminated with rapid intermittent flashes, ~~drivers of vehicles~~ an operator of a vehicle shall stop at a marked stop line. If there is no marked stop line, an operator shall stop before entering the nearest crosswalk at an intersection, ~~or at a limit line when marked or, if none, then before entering the intersection, and the~~ If there is no crosswalk, an operator shall stop at the point nearest the intersecting roadway where the operator has a view of approaching traffic. The right to proceed ~~shall be~~ is subject to the rules applicable after making a stop at a stop sign, as provided in 61-8-344.

(b) ~~Flashing yellow (caution signal).~~ When a yellow lens is illuminated with rapid intermittent flashes, ~~drivers of vehicles~~ the operator of a vehicle may proceed through the intersection or past ~~such~~ the flashing yellow signal only with caution.

(2) This section ~~shall not~~ does not apply at railroad grade crossings. Conduct of ~~drivers of vehicles~~ an operator of a vehicle approaching a railroad grade ~~crossings shall be~~ crossing is governed by the ~~rules as set forth in~~ provisions of 61-8-347."

Section 7. Lane use control signals. When lane use control signals are placed over individual lanes, the signals indicate and apply to operators of vehicles as follows:

(1) An operator of a vehicle may drive in the lane over which a steady downward green arrow signal is located.

(2) An operator of a vehicle must be prepared to vacate, in a safe manner, the lane over which a steady yellow X signal is located because a lane control change is being made to a steady red X signal.

(3) An operator of a vehicle may not use the lane over which the steady red X signal is located.

(4) An operator of a vehicle may use a lane over which a steady white two-way left-turn arrow signal is located for a left turn but not for through travel. The operator must be aware that common use of the lane by oncoming vehicular traffic is also permitted.

(5) An operator of a vehicle may use a lane over which a steady white one-way left-turn arrow signal is located for a left turn but not for through travel.

Section 8. Section 61-8-210, MCA, is amended to read:

"61-8-210. Display of unauthorized signs, signals, or markings. (1) ~~No~~ A person ~~shall~~ may not place, maintain, or display upon or in view of ~~any~~ a highway any unauthorized sign, signal, marking, or device ~~which~~ that purports to be or is an imitation of or resembles an official traffic control device, ~~or railroad sign, or signal, or which~~ that attempts to direct the movement of traffic, or ~~which~~ that hides from view or interferes with the effectiveness of any official traffic control device ~~or any railroad sign or signal~~.

(2) ~~No~~ A person ~~shall~~ may not place or maintain ~~nor shall any~~ and a public authority may not permit ~~upon any highway any traffic sign or signal bearing thereon any~~ commercial advertising on an official traffic control device on a highway, except for business signs included as a part of official motorist service panels or roadside area information panels approved by the department of transportation.

(3) This section ~~shall not be deemed to~~ does not prohibit the erection of signs upon private property adjacent to highways ~~of signs giving~~ that give useful directional information and that are of a type that cannot be mistaken for official signs.

~~(4) The prohibition of this section shall not apply to portable "Caution" signs placed in the vicinity of schools at those times during which school children are going to and coming from school.~~"

Section 9. Repealer. Section 61-8-205, MCA, is repealed.

Section 10. Codification instruction. [Section 7] is intended to be codified as an integral part of Title 61, chapter 8, part 2, and the provisions of Title 61, chapter 8, part 2, apply to [section 7].

- END -

Latest Version of HB 22 *(HB0022.ENR)*

Processed for the Web on February 20, 2003 (2:29pm)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

See the status of this bill for the bill's primary sponsor.

Status of this Bill | 2003 Legislature | Leg. Branch Home

This bill in WP 5.1 | All versions of all bills in WP 5.1

Authorized print version w/line numbers (PDF format)

Prepared by Montana Legislative Services

(406) 444-3064

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **VICE CHAIRMAN SYLVIA BOOKOUT-REINICKE**, on January 10, 2003 at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Joe Balyeat (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 22, 1/8/2003; HB 67, 1/8/2003; HB 68, 1/8/2003
Executive Action: None

HEARING ON HB 22

Sponsor: REP. CHRISTINE KAUFMANN, HD 53

Opening Statement by Sponsor:
REP. KAUFMANN explained that HB 22 resulted from an interim study group panel to look at the uniform vehicle code and how it relates to Montana laws. SJR 6 was passed in 2001 that formed the above committee to revise traffic codes in Montana to provide clarity and uniformity. The rules are found in Title 61, Chapter 8 that establish the rules of the road, the responsibilities of the departments of both Justice and Transportation, and that deal with enforcement procedures. These regulations have not been updated for several decades resulting in conflicts in rules and regulations. This is an attempt to comply with the Universal Vehicle Code. The panel was composed of Senator Glaser, Spook Stang of Montana Motor Carriers, Joe Cannan a citizen, Kathy Harris representing local government, Judge Wally Jewell, Colonel Oberg, Chief of Montana Highway Patrol, Brenda Nordland of Attorney General Office, Mary LaFond of Motor Vehicle Division, Leanne Turk as Transportation Committee legislative staffer, David Huff from Office of Public Instruction and staff person Pierre from Department of Transportation.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 4.5}

Proponents' Testimony:
Jim Currie, Deputy Director, Department of Transportation. As a result of the work of the SJR 6 committee there will be five bills presented this session. This bill updates the terminology and laws relative to traffic control devices. A few highlights are: the current law still refers to traffic control signals as exhibiting the words "Go, Caution and Stop" which dates back to pre- World War II. This bill also clarifies the use of green, yellow and red arrows and other signal indications.
EXHIBIT(trh05a01)

{Tape: 1; Side: A; Approx. Time Counter: 4.5 - 6.5}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: **REP. KAUFMANN** closed.

{Tape: 1; Side: A; Approx. Time Counter: 6.5 - 7.8}

gave a detailed description of the five types of Forest Service roads and what restrictions apply to each road. He also explained the problems his associations have encountered with the Forest Service.

{Tape: 1; Side: B; Approx. Time Counter: 9.5 - 25.9}

Closing by Sponsor:

REP. KAUFMANN closed by offering an amendment to strike all portions of HB 68 that dealt with Forest Service Trails or roads. This will allow the Recreational Users a chance to get a clear definition of Forest Service Roads and clarify that the name change will not effect the present statutes.

{Tape: 1; Side: B; Approx. Time Counter: 25.9 - 31}

ADJOURNMENT

Adjournment: 4:25 P.M.

REP. KARL WAITSCHIES, Chairman

PATI O'REILLY, Secretary

KW/PO

EXHIBIT(trh05aad)

HOUSE OF REPRESENTATIVES
Roll Call
TRANSPORTATION COMMITTEE

DATE 1/10/03

NAME	PRESENT	ABSENT	EXCUSED
REP. KARL WAITSCHIES, CHAIR	✓		
REP. SYLVIA BOOKOUT-REINICKE, VICE CHAIR, MAJ.	✓		
REP. DAVE GALLIK, VICE CHAIR, MINORITY	✓		
REP. JOE BALYEAT	✓		
REP. BOB BERGREN			✓
REP. RON DEVLIN			✓
REP. GEORGE GOLIE	✓		
REP. JIM KEANE	✓		
REP. BERNIE OLSON	✓		
REP. ALLEN ROME	✓		
REP. FRANK SMITH	✓		
REP. DON STEINBEISSER	✓		
REP. BILL WILSON	✓		
/s/TransRollCall.2003			

Montana House of Representatives
Visitors Register

TRANSPORTATION COMMITTEE **Date** 1/10/03

Bill No. 82.67.68 **Sponsor(s)** Kaufman

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
Doug Abelin	MTURA		Oppose	~~Attended~~
David Huff	OPI	HB67		
Mike Barrett	SELF, INFORMALLY ARTISTS, CONSTITUTIONAL LAW PROGS. ENTER.	HB68		Yes
SHAWN Driscoll	MHP			✓
JOEL MARSHIK	MDT			✓

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

LEGISLATIVE TAPE LOG

Committee: TRANSPORTATION
Date: 1/16/03

Minutes:	CONTENT NOTES:
Tape 1 B	
0.0	Kaufman SD 53
HB 22	Excise Traffic Votes In
	Montana - Title 61 - Chap 8.
4.6	Babycat Refs. 4.6 - 9.9
prop	
5.7	Jim Currie Dep Dir - MDT
6.9	Kaufman - HB 32 - EP1
	No opponents or info material
HB 67	
9.8	
~~Pro~~	Kaufman SD 53 - HB #67.
proponents	
10.0	Jim Currie Mt DOT - U. Clan
	Market
prop.	
11.6	David Duff - OPI EHB
	Read Written testimony
	No opponents - or info material
14.0	Rep Dugan ? Mr. Currie
	pg 5 - See 5.
16.6	Christakes ? Currie pg 6. see 9

LEGISLATIVE TAPE LOG

Committee: **TRANSPORTATION**
Date: 1/10/03

Minutes:	CONTENT NOTES:
Tape 1-A	
	Mega - Jenny eye.
	Kaufman Questions
19.1	Galick & Kaufman
	pg 5-
20.5	Balyeat & Kaufman See 5. Pg 5
22.9	Keeney / Currie pg 5-
	Kaufman answers.
24.5	- closed.
24.7	Kaufman entroduces SB68
SB68	Kaufman 53- Intro SB68.
26.8	Jim Currie Dep Dir DOT
	proponent.
28.9	Mike Barrett - Info
29.9	Doug Ahlers Ahlers, Off
	Rodney Galick + Mt Trial
	Lodge does not oppose
Tape 1-B	disagrees w/ highway
	State Govt portion.
6.4	Mike Barrett - Info on motions

Pg 3

LEGISLATIVE TAPE LOG

Committee: TRANSPORTATION
Date: 1/10/03

Minutes:	CONTENT NOTES:
8.5	International Fuels
	Shaun Mueller, Chief Deputy ~~Report~~. Patrol.
9.5	Rep Olsen / Doug Ahlin
11.3	Boshart 2 Kaufman
20.1	Keene 2 Kaufman
	Galvin 2 Ahlin
	explains 5 classes of roads
21.0	Rep Smith 2 Miscall pg 4 line 1;
22.9	Keene 2 Miscall
23.0	Boshart 2 Kaufman
25.9	Rep Kaufman closes SB 68.
	Amendment to Senate Sec 304.
Rep 2 Sides a	Kaufman
	Ballot duly cast.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 15, 2003 at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: Rep. Joe Balyeat (R)

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 112, HB 105, HB 189, 1/8/2003
Executive Action: HB 80, HB 215, HB 22

EXECUTIVE ACTION ON HB 80

Motion/Vote:

REP. STEINBEISSER moved that HB 80 DO PASS. Motion carried 12-1 with REP. GALLIK voting no. Roll call vote. REP. SMITH's vote was changed by his permission and does not reflect the same information as the proxy form.

{Tape: 2; Side: A; Approx. Time Counter: 17.6 - 27}

EXECUTIVE ACTION ON HB 215

Motion/Vote: **REP. BERGREN moved that HB 215 DO PASS. Motion carried 9-4 with REPS. GOLIE, BALYEAT, WILSON and KEANE voting no. Roll call vote.** REPS. SMITH and BALYEAT voted by proxy.

{Tape: 2; Side: A; Approx. Time Counter: 27 -29.}

EXECUTIVE ACTION ON HB 22

Motion/Vote: **REP. BERGREN moved that HB 22 DO PASS. Motion carried 12-0 with REP. BALYEAT not voting.**

{Tape: 2; Side: A; Approx. Time Counter: 30 - 31}

ADJOURNMENT

Adjournment: 4:55 P.M.

REP. KARL WAITSCHIES, Chairman

PATI O'REILLY, Secretary

KW/PO

EXHIBIT(trh08aad)

HOUSE OF REPRESENTATIVES
Roll Call
TRANSPORTATION COMMITTEE

DATE 1/15/03

NAME	PRESENT	ABSENT	EXCUSED
REP. KARL WAITSCHIES, CHAIR	✓		
REP. SYLVIA BOOKOUT-REINICKE, VICE CHAIR, MAJ.	✓		
REP. DAVE GALLIK, VICE CHAIR, MINORITY	✓		
REP. JOE BALYEAT			✓
REP. BOB BERGREN	✓		
REP. RON DEVLIN	✓		
REP. GEORGE GOLIE	✓		
REP. JIM KEANE	✓		
REP. BERNIE OLSON	✓		
REP. ALLEN ROME	✓		
REP. FRANK SMITH	✓		
REP. DON STEINBEISSER	✓		
REP. BILL WILSON	✓		
/s/TransRollCall.2003			

HOUSE STANDING COMMITTEE REPORT

January 16, 2003

Mr. Speaker:

We, your committee on **Transportation** recommend that **House Bill 22** (first reading copy -- white) **do pass.**

Signed: *Representative Karl Waitschies, Chair*

- END -

Committee Vote:
Yes 12, No 0.

1-16-03 9:30

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MINUTES

MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **VICE-CHAIRMAN DUANE GRIMES**, on January 30, 2003 at 3:05 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Duane Grimes, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Mike Cooney (D)
Sen. Aubyn Curtiss (R)
Sen. Bob DePratu (R)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Glenn Roush (D)

Members Excused: Sen. Edward Butcher, Chairman (R), Sen. Vicki Cocchiarella (D)

Members Absent: None.

Staff Present: Pat Murdo, Legislative Branch
Roberta Opel, Committee Secretary

Video-taped Committees: This is the video log of a committee hearing. The log provides a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted:	HB 22, 1/30/2003; HB 67, 1/30/2003; HB 68, 1/30/2003
Executive Action:	HB 68, HB 67

HEARING ON HB 22

Opening Statement by Sponsor: **REP. CHRISTINE KAUFMANN, HD 53, Helena**, opened on HB 22; generally revise laws on traffic control devices.

Proponents' Testimony:

3:07pm Jim Currie, Deputy Director, Department of Transportation
EXHIBIT(his20a01)
3:10pm Mike Barrett, representing himself
3:11pm Shawn Driscoll, Chief, Montana Highway Patrol, and on behalf of the MT. Dept. of Justice

Opponents' Testimony: None

Questions from Committee Members and Responses:

3:13pm Begin
3:21pm End
8 min Elapsed time

Closing by Sponsor:

3:21pm **REP. KAUFMANN** closed the hearing on HB 22.

HEARING ON HB 67

Opening Statement by Sponsor: **REP. CHRISTINE KAUFMANN, HD 53, Helena**, opened on HB 67; an act revising and updating provisions governing pedestrians.

Proponents:

3:23pm Gerald Hutch, representing himself
3:27pm Jim Currie, MT. Dept. of Transportation
3:27pm Meryl Tompkins, MT. Association of the Blind
3:28pm Joy Preslauer, Great Falls
3:34pm Jean Hermanson, Montanan's with Disabilities for Equal Access
3:36pm Shawn Driscoll, Chief of Highway Patrol and on behalf of Dept. of Justice
3:37pm Mike Barrett, Helena resident

Opponents: None

Questions from Committee Members and Responses: None

ADJOURNMENT

Adjournment: 5 P.M.

SEN. EDWARD BUTCHER, Chairman

ROBERTA OPEL, Secretary

EB/RO

EXHIBIT(his20aad)

SENATE HIGHWAYS AND TRANSPORTATION
EXHIBIT NO. 1
DATE: 1/30/2003
BILL NO. HB 22

HB-22
Date: January 30, 2003
Testimony Submitted by: Jim Currie, Deputy Director, Department of Transportation

Mr. Chairman, for the record, my name is Jim Currie, and I am the Deputy Director of the Montana Department of Transportation. I stand in support of this bill.

The Montana Traffic Regulations are a chapter of the Montana Code Annotated. It can be found in Title 61, Chapter 8. This chapter establishes the rules of the road, responsibilities for the Departments of Justice and Transportation, defines enforcement procedures and penalties for disregarding the rules of the road The Department of Transportation brought to the attention of the 1999 Legislature that:

- The Traffic Regulation had not been updated for several decades
- There were conflicts and omissions in relation to the Uniform Vehicle Code
- Some traffic laws had ambiguities warranting clarification
- The language was not uniform

The 1999 Legislature passed Senate Joint Resolution # 6 stating that an interim committee be assigned or sufficient staff resources be directed to study and revise traffic codes to provide clarity and uniformity. The resolution also requested that a bill be prepared for the 58th Legislature.

In December of 2001, Director Galt, formed a panel to accomplish the task outlined in SJR6.

The panel was composed of Senator Bill Glaser, Representative Christine Kaufmann, "Spook" Stang (Montana Motor Carrier Association), Joe Calnan (Citizen), Kathy Harris (Local government), Judge Wally Jewell (Local Justice), Colonel Bert Obert (Highway Patrol), Brenda Nordlund (Attorney General's Office), Mary LaFond (Motor Vehicle Division), Leanne Kurtz (Legislative Services), David Huff (Office of Public Instruction) and Pierre Jomini (Transportation).

The goal of the panel was to update the Traffic Regulation of the Montana Code Annotated to current standards and practice. The objectives were 1) to bring the traffic laws as close as possible to the Uniform Vehicle Code, 2) write the traffic regulations so that they are clearly understood by the public, 3) eliminate ambiguities and conflicts, 4) update regulations to current standards and practice and 5) resolve traffic issues identified by the panel members.

How was this panel organized? The Traffic regulations have nine parts covering various areas such as Traffic Control Devices, Vehicle Operating Requirements, Pedestrian Traffic, etc... Nine sub-groups were formed to do the preliminary work, contact interest groups and present their findings at the monthly panel meetings. The panel met once a month from December 2001 to October 2002.

To assist the debates and decision making, the panel was advised to present a separate bill for each Part in the Traffic Regulation. This work resulted in five bills:

HB - 68 Part 1: General Provisions
HB - 22 Part 2: Traffic Control Devices
HB - 105 Part 3: Vehicle Operating Requirements
HB - 67 Part 5: Pedestrian Traffic
HB - 189 Part 6: Bicycle Traffic

HB-22 updates MCA Title 61, Chapter 8, Traffic Control Devices

The highlights of the bill are:

1. The current code still refers to traffic control signals exhibiting the words "Go", "Caution" or "Stop", dating back to pre-World War II. The panel updated this section bringing it in conformance with the Uniform Vehicle Code.

2. It clarified the use of green, yellow, red arrows and other signal indications.

3. For pedestrian signals the panel introduced in the law the symbols of the "walking man" and the "upraised palm" as equivalent to the "WALK" and "DON'T WALK" signals.

4. Although not yet in use in Montana, the panel introduced proposed legislation for "Lane Use Control Signals" as the public will encounter these signals in the future.

Mr. Chairman, I'd be happy to answer questions, and our Chief Engineer, Joel Marshik is also present to answer questions.

Thank you.

DATE JANUARY 30, 2003

SENATE COMMITTEE ON HIGHWAYS

BILLS BEING HEARD TODAY: HB 22 - HB 67
HB 68

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
GERALD HUTCH	443 2947	SELF	HB 67		✓
MYRLE TOMPKINS	443-4352	MAB	HB67		
AL TOMPKINS	443-4352	[redacted]	HB 67		
JOY BRESLAUER	454-0396	MAB	HB67		
Jim Currie	444-6201	MDOT	22, 67 68	✓	
Mike Barrett	443 7195	self; ≈ Artists, ⊛ N'Hance.	HB: 22 67 68	✓	
Stan Russell	444-3780	MHP	"	✓	
Jane Hammond	443-8010	Montanans w/ Disabilities for Equal Access	HB67	✓	
Raymond K Reed	458-9847	Montana Military Museum			

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MINUTES

MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN EDWARD BUTCHER**, on February 11, 2003 at 3 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Edward Butcher, Chairman (R)
Sen. Duane Grimes, Vice Chairman (R)
Sen. Sherm Anderson (R)
Sen. Vicki Cocchiarella (D)
Sen. Mike Cooney (D)
Sen. Aubyn Curtiss (R)
Sen. Bob DePratu (R)
Sen. Sam Kitzenberg (R)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Glenn Roush (D)

Members Excused: Sen. Dan Harrington (D)

Members Absent: None.

Staff Present: Pat Murdo, Legislative Branch
Roberta Opel, Committee Secretary

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Committee Business Summary:

Hearing & Date Posted:	SB 295, 2/11/2003; HB 112, 2/11/2003
Executive Action:	HB 22, HB 112

Closing by Sponsor:

4:56pm **REP. PATTISON** closed the hearing on HB 112.

NOTE: Discussion on a possible committee bill regarding the child safety restraint bill and assignment of subcommittee to work out problems related to SB 227 and SB 223. **SEN. MIKE COONEY** and **SEN. DUANE GRIMES** were selected as members of this subcommittee.

EXECUTIVE ACTION ON HB 22

Discussion:

5:00pm Jim Currie, MT. Dept. of Transportation
5:04pm End
4 min Elapsed time

Motion/Vote: **SEN. COOCHIARELLA** moved **HB 22 BE CONCURRED IN. Motion carried 8-0.** **NOTE:** HB 22 held in committee.

EXECUTIVE ACTION ON HB 112

Motion/Vote: **SEN. COCCHIARELLA** moved **HB 112 BE CONCURRED IN. Motion carried 8-0.**

ADJOURNMENT

Adjournment: 5 P.M.

SEN. EDWARD BUTCHER, Chairman

ROBERTA OPEL, Secretary

EB/RO

EXHIBIT(his30aad)

SENATE STANDING COMMITTEE REPORT

February 13, 2003

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 22** (third reading copy -- blue) **be concurred in**.

Signed: _____
Senator Edward Butcher, Chair

To be carried by Senator Edward Butcher

- END -

Committee Vote:
Yes 8, No 0.

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